

REMARKS

In light of the above amendatory matter and remarks to follow, reconsideration and allowance of this application are respectfully solicited.

In the Office Action under reply, U.S. Published Application 2002/0191950 (Wang) was combined with U.S. Patent 6,760,536 (Amir) to reject claims 1, 2, 5-8, 10, 11, 14-17, 19-21, 24-26, 29-32, 35-38, 41-43, 55, 56, 59-62, 64-66, 69-72, 74 and 75. U.S. Patent 7,013,477 (Nakamura) was added to this combination to reject claims 4, 13, 23, 28, 34, 40, 58 and 68. The Wang-Amir combination was further combined with U.S. Patent 6,434,746 (Nagashima) to reject claims 9, 18, 44, 45, 48-50, 53 and 54; and the Wang-Amir-Nagashima combination was additionally combined with Nakamura to reject claims 47 and 52. No claims are allowed.

Of the rejected claims, claims 1, 10, 19, 20, 25, 30, 31, 37, 43, 44, 49, 54, 55, 65 and 75 are independent. It is believed these claims, as originally filed, recite subject matter that is patentably distinct over the cited references. However, in an effort to expedite the successful prosecution of the present application, these independent claims are amended to point out how the image data is reproduced at a user-selected fast reproduction speed and the constraints upon that fast reproduction speed. It is respectfully submitted these independent claims, together with those claims dependent thereon, are patentably distinct over Wang, Amir, Nakamura and Nagashima, taken alone or in combination.

As a result of this amendment, claims 32, 38, 56 and 66 are redundant and canceled.

Dependent claims 62, 64 and 74 are amended to be consistent with the claims from which they depend.

Wang is directed to a technique that disables a "skipping function" when playing back recorded television programs, thereby preventing a user from "fast forwarding" or "skipping" through recorded commercials (see, for example, paragraphs [0008], [0022], [0025]-[0029] and [0072]-

[0073] of Wang). Wang relies on a content classification signal to indicate the presence of a commercial. There is no suggestion in Wang of permitting predetermined content to be played back at a fast speed, but limiting that fast playback speed to an upper limit that is less than what the user might desire. Nor does Wang suggest that his content classification signal (which the Examiner continues to interpret as being the same as Applicant's "associated information") prevents the limited fast playback speed from being overridden.

The skipping function of Wang differs from the frame skipping feature of Applicant's claims. In Wang, the commercials present in a broadcast television program or "skipped" by fast-forwarding through those commercials. In Applicant's claims, individual frames of image data are skipped, that is, individual frames are not played back, thereby reducing the number of frames that are reproduced; but resulting in a fast reproduction of the image data because the frames that are not skipped are played back at the normal frame rate, thereby displaying fast movement – e.g. 2X speed as shown in Fig. 12E or 20X speed as shown in Fig. 12G of Applicant's drawings. Wang does not suggest such frame skipping to provide a fast reproduction display.

Nor does the patent to Amir suggest the skipping of individual frames, as disclosed and claimed in the instant application. In Amir, a "shot" formed of a number of frames has less frames skipped near the beginning of the shot, while more frames are skipped near the middle or end of the shot (column 2, lines 55-59). The purpose for this speed-up at the middle of the shot is described at, for example, column 4, lines 20-31 of the Amir.

As pointed out in the amended claims presented herein, there is a definite relationship between the frame rate of the image data and the skipping of selected frames to achieve a fast reproduction speed of the image data. Applicant's claim 1, as an example, recites:

"image data exhibiting a reference frame rate  $FR_r$ , with associated information, said associated information including a set frame rate ( $FR_s$ ) that is n times the reference frame rate (n is an integer or a fraction), ... said user-selectable fast reproduction

speed being produced by skipping selected frames of said main data as a function of  $FR_s$ ..."

Neither Wang nor Amir suggests the relationship between a reference frame rate  $FR_r$ , a set frame rate  $FR_s$  and the selected frames that are skipped, as recited by claim 1, quoted above. Hence, it follows that one of ordinary skill in the art, after reading and understanding Wang and Amir, would not be enabled by these references to provide the "associated information" having the characteristics and function described in Applicant's claim 1. Accordingly, it is respectfully requested that the rejection of claim 1 is being obvious in view of the combination of Wang and Amir be withdrawn.

Claims 10, 19, 20, 25, 30, 31, 37, 43, 44, 49, 54, 55, 65 and 75 are independent and include substantially the same recitation as quoted above in connection with claim 1. Therefore, it is respectfully submitted that these claims are patently distinct over the cumulative teachings of Wang and Amir for those reasons discussed above. It is noted, claims 44 and 49 were rejected in view of the combination of Wang, Amir and Nagashima. It appears, however, that Nagashima was relied upon for allegedly describing editing of image data. However, those portions of Nagashima specifically relied upon by the Examiner are directed to the selection of either I, P or B frames for transmission, depending upon traffic information. There is no suggestion in Nagashima of the relationship between a reference frame rate  $FR_r$  of image data, a set frame rate  $FR_s$  of that image data and the selected frames of the image data that are skipped for the purpose of providing fast reproduction, as recited by claims 44 and 49. Hence, the addition of Nagashima to the Wang-Amir combination still fails to suggest the recitations of claims 44 and 49.

All of the remaining claims depend from one of the independent claims discussed above. Since these dependent claims include all of the limitations recited by the claim from which the respective dependent claim depends, it follows that Applicant's dependent claims are patentably

distinct over the cited prior art for those reasons discussed above, in particular, the arguments set forth with respect to claim 1.


Accordingly, it is respectfully submitted that all the claims remaining in this application are in condition for allowance. Early notice to this effect is respectfully solicited.

Statements appearing above in respect to the disclosures in the cited references represent the present opinions of the undersigned attorney and, in the event the Examiner disagrees with any of such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By:   
William S. Frommer  
Reg. No. 25,506  
Tel. (212) 588-0800